

Waterfowl Season Considerations and Options for Montana

Montana and all of the other states are required to set migratory bird regulations within the frameworks set by the U.S. Fish and Wildlife Service (FWS). States can be more restrictive than the federal frameworks, but they cannot be more liberal. Montana is in two flyways, the Pacific Flyway (PF) and the Central Flyway (CF), and the frameworks are in several cases different between the two. Duck regulations are set according to an Adaptive Harvest Management (AHM) strategy, with three regulatory packages based on the mallard breeding population and the number of ponds in Prairie Canada on the May survey.

Federal frameworks:

The federal frameworks may change from year to year, but the following discussion assumes that the frameworks are the same as in 2013-14.

Season length:

PF – ducks, 107 days; geese, 107 days

CF – ducks, 97 days, geese 107 days

Note: CF Montana is in the High Plains Mallard Management Unit and thus gets an additional 23 days above the 74 days granted to areas in the eastern part of the CF. The last 23 days must run consecutively and may start no earlier than the Saturday nearest December 10. Therefore this season cannot be split during the last 23 days. For both the PF and CF (and all flyways), the season on any species may not run longer than 107 days (also the maximum allowed under the Migratory Bird Treaty Act). Beginning in 1996, the FWS allowed two additional “youth waterfowl hunting days.” While they were intended to be additional days, those seasons that were already at the maximum of 107 days were reduced by two days to allow for the youth days. So, seasons that formerly ended on a Sunday then ended on a Friday. The current split seasons have replaced the weekend that was lost due to the youth seasons.

Framework dates: Framework dates are the earliest and latest dates within which states may hold hunting seasons.

Ducks:

PF: From the Saturday nearest September 24 to the last Sunday in January

CF: From the Saturday nearest September 24 to the last Sunday in January

Dark geese (Canada and whitefront):

PF: From the Saturday nearest September 24 to the last Sunday in January

CF: From the Saturday nearest September 24 to the Sunday nearest February 15

Light geese (snow, Ross's):

PF: From the Saturday nearest September 24 to March 10

CF: From the Saturday nearest September 24 to March 10

Swans:

PF: Starting no earlier than the Saturday nearest October 1, ending no later than December 1 (to help protect trumpeter swans). We have voluntarily delayed the opener to around mid-October for the same reason.

CF: Between the Saturday nearest October 1 and January 31 (up to 107 days)

Zones and splits:

Zones – two geographical areas that may have different season dates.
Split season – one that has two or more segments separated by a closed period.

Ducks:

PF: The season may be split into two or three segments. No zones permitted.

CF: The season may be split into two segments, with two zones allowed. Zones are “locked in” for a five-year period, with changes next allowed for the 2016 season. Therefore CF Montana is committed to the two duck zones that are currently approved and are in our regulations (Figure 1).

Geese:

PF: Seasons may be split into up to three segments. Three-way split seasons for Canada geese and white-fronted geese require PF Council and FWS approval and a three-year evaluation. No zones permitted.

CF: May select hunting seasons by zones, and zone boundaries can be changed each year. Seasons may be split into two or three segments. Three segment seasons for Canada geese require CF Council and FWS approval, and a three-year evaluation (as negotiated between MFWP and FWS).

Timing and approval of zones and splits:

As a result of a recent Supplemental Environmental Impact Statement (2013), the number and timing of meetings between the flyways and the FWS will change, probably beginning in 2015 or 2016. That will mean that the timing of our regulatory processes in Montana will also need to change, but we don't know the timing at present.

PF ducks: No flyway or FWS approval is needed to have two or three segments. If a change from the current status is a possibility, we need to let the FWS know a week before our final regulations are set (~mid August, 2014 for the 2014-2015 season) so that the Late Season Selection Letter can be modified for us to enter our seasons.

CF ducks: No flyway or FWS approval needed for two segments or to make use of the existing two zones. If a change from the current status is a possibility, we need to let the FWS know a week before our final regulations are set (~mid August, 2014 for the 2014-2015 season) so that the Late Season Selection Letter can be modified for us to enter our seasons. If we wish to request a change in our CF duck zones in 2016, the request needs to go first to the CF Flyway Council for approval at least 30 days before their meeting on early seasons and then to the FWS for approval. Meeting schedules will be changed by 2016, so we cannot say at this time what those dates will be.

PF geese: A split into two segments does not require approval by the PF Council or the FWS. A split into three segments would require submission of a recommendation to the PF Council and the FWS for their approval at least 30 days before late seasons are considered (~June 15, 2014 for the 2014-15 season). A three-year evaluation would be required, and it would be difficult to meet the FWS requirements.

CF geese: Two zones and two segments within each zone are permitted without approval of the CF Council or the FWS. If a change in zones is a possibility, we should let the FWS know a week before our final regulations are set for the Early Migratory Bird Seasons so that the Early Season Selection Letter can be modified for us to enter our seasons. This would be in late July. Zones would be an Early Season issue because the Youth Waterfowl Season is an “early season.” A late season, two-segment split would not be an early season issue because it

wouldn't affect the Youth Season, and the FWS could be notified in late August, a week before our final regulations are set, so the Late Season Selection Letter could be modified. Three segments are permitted, with CF Council and FWS approval. If three segments are going to be a possibility, we need to have a recommendation to the CF Council at least 30 days before their meeting on late seasons (~June 15, 2014, for the 2014-15 season). A three-year evaluation would be required, and it would be difficult to meet the FWS requirements.

Setting waterfowl seasons in Montana:

Objective: To set regulations that provide reasonable waterfowl hunting opportunities throughout all of Montana for hunters having an interest in a variety of species, while keeping complexity to a minimum.

Guiding principles:

Some added complexity is acceptable if it provides additional opportunity and if regulations are still easily understood.

We need to consider the trade-offs in adding opportunity for one group of hunters while diminishing opportunities for other groups.

History:

Since 1995, duck regulations in both the PF and CF have been under the "Liberal" AHM package, with season length as we now have it and with relatively liberal bag limits that have fluctuated at times for some species. That has not always been the case, however. In the early 1990's federal frameworks dictated much shorter seasons (PF 59 days for ducks, CF 51 days for ducks), and Montana did use the options for zones and splits to try to satisfy hunters with different preferences.

When duck and goose seasons went to their current length in 1995, the thought was that Montana no longer needed to use zones and splits, since the CF duck season would run through the Christmas/New Year's holidays, and goose seasons and PF ducks would run a week or two into January. Some recent winters have been milder, and ducks and especially Canada geese sometimes stay later where they can find open water and food. Some hunters, especially in the CF, have shown an interest in having more late days to hunt.

Potential options:

A. Modest late split (e.g., the current season framework): Continue in 2014-15 with seasons similar to this year, with variations of the late-season splits. With calendar changes, next year's opening would be six days later than this year (October 4). Seasons for PF ducks and geese and CF geese could be: Oct. 4 – Jan. 14 and Jan. 17-20. CF ducks could be Oct. 4 – Jan. 8, as a late split is not permitted under federal rules.

B. Zones and splits in CF: Make use of zones and split seasons in the CF for ducks, coots, and geese. Since CF duck zones cannot be changed until 2016, changing the zones for geese, prior to 2016 would increase complexity considerably. Therefore, if zones were to be used, preference would be to use the same zones for geese and ducks to avoid the confusion of different zones. Duck Zone 2 includes Big Horn, Treasure, Rosebud, Custer, and Prairie Counties (Figure 1). An example of CF zones and dates and PF dates could be:

CF ducks: Zone 1: Oct. 4-Jan. 8
 Zone 2: Oct. 4-12, and Oct. 25-Jan. 20
CF geese: Zone 1: Oct. 4 – Jan. 14, and Jan. 17-20
 Zone 2: Oct. 4-12, and Oct. 25-Jan. 28

PF ducks and geese: Oct. 4 – Jan. 14. and Jan. 17-20

C. No zones for ducks, zone for geese in CF (add Carbon and Yellowstone to the five counties, as suggested by some):

CF ducks: Oct. 4 – Jan. 8
CF geese: Zone 1: Oct. 4-Jan. 18
 Zone 2: Oct. 4-12, and Oct. 25-Jan. 28 (7 counties)
PF ducks and geese: Oct. 4-Jan. 14 and Jan 17-20

D. Use existing 5-county CF zone for ducks, use 7-county CF zone for geese:

CF ducks: Zone 1: Oct. 4-Jan. 8
 Zone 2: Oct. 4-12 and Oct. 25-Jan. 20 (5 counties)
CF geese: Diminished Zone 1: Oct. 4-Jan. 18
 Expanded Zone 2: Oct. 4-12 and Oct. 25-Jan. 28 (7 counties)
PF ducks and geese: Oct. 4-Jan. 14 and Jan. 17-20

Having different zones for CF ducks and geese would increase complexity considerably.

In the CF, if a 7-county zone is used for either ducks or geese, the zone boundary where Yellowstone, Carbon, and Stillwater Counties come together near Park City would be complicated.

If split seasons, zones, or zones with splits are to be considered for the CF, one needs to consider what opportunities would be taken away from a segment of our waterfowl hunters, as well as the added complexity and potential for inadvertent violations. We also need to keep in mind that in the northern part of the state wetlands often freeze over by the end of October, ending the waterfowl hunting in those areas. Even in the southern part of the state, ducks and geese may be forced to migrate south if snow covers their food.

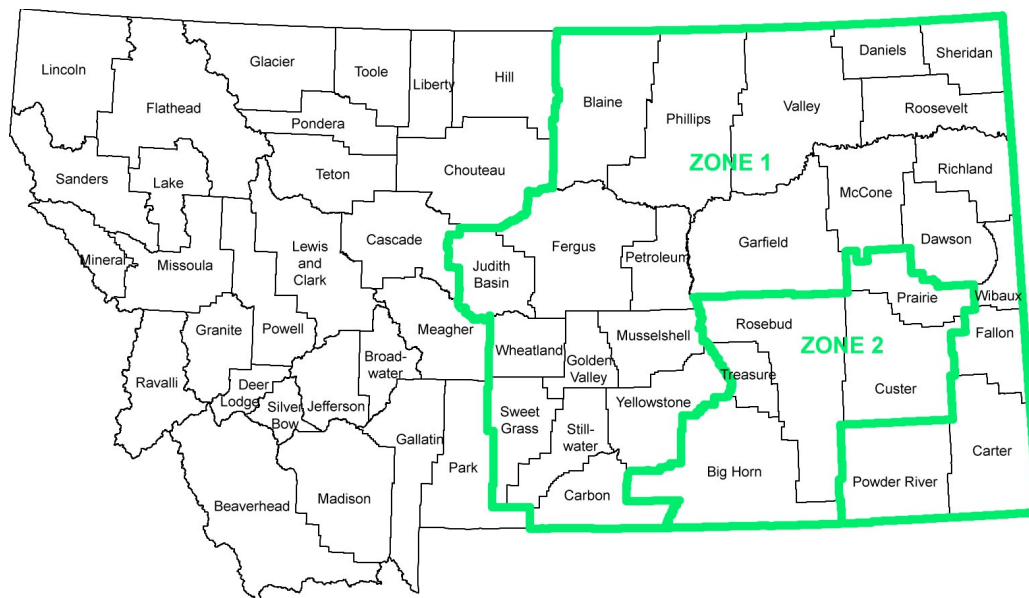


Figure 1. Current (2013) Central Flyway Duck Zones. (Cannot be changed until 2016 under FWS rules.)